

C I T Y P L A N N I N G C O M M I S S I O N M I N U T E S

A P R I L 2 1, 2 0 0 5

A study session regarding the jobs, business strategy and financial feasibility of the General Plan Update was presented on Thursday, April 21, 2005, at 12:00 noon.

The regular meeting of the City Planning Commission reconvened at 1:37pm in the City Council Chambers, 333 W. Ocean Boulevard.

PRESENT: COMMISSIONERS: Morton Stuhlbarg, Matthew Jenkins,
Mitch Rouse, Nick Sramek,
Charles Greenberg, Leslie Gentile
Charles Winn

ABSENT: EXCUSED: None

CHAIRMAN: Morton Stuhlbarg

STAFF MEMBERS PRESENT: Suzanne Frick, Director
Greg Carpenter, Planning Manager
Carolynne Bihn, Zoning Officer
Angela Reynolds, Advance Planning
Lynette Ferenczy, Planner
Scott Mangum, Planner
Lemuel Hawkins, Planner
Jeff Winklepleck, Planner

OTHERS PRESENT: Mike Mais, Assistant City Attorney
Cindy Thomack, Neighborhood
Preservation Officer
Marcia Gold, Minutes Clerk

P L E D G E O F A L L E G I A N C E

Angela Reynolds led the pledge of allegiance.

S W E A R I N G O F W I T N E S S E S

C O N S E N T C A L E N D A R

In response to a query from Commissioner Greenberg regarding adjustment of parking if the use specified in Item 1A should intensify, Mr. Carpenter explained that the staff recommendation

was based on maximum use of the facility proposed by the plans being approved by the Planning Commission.

The consent calendar was approved as presented by staff on a motion by Commissioner Sramek, seconded by Commissioner Winn and passed unanimously.

1A. Case No. 0502-04, Conditional Use Permit, ND 05-05

Applicant: Cornerstone Church c/o John Fuqua
Subject Site: 1000 Studebaker Road (Council District 3)
Description: Conditional Use Permit to allow the establishment of a church in the CNA zone.

Certified Negative Declaration No. 05-05 and approved the Conditional Use Permit, subject to conditions.

1B. Case No. 0408-13, Modification to an Approved Permit (9902-07), Administrative Use Permit, CE 04-163

Applicant: Parks, Recreation and Marine Bureau
c/o Mary Claire de la Haye
Subject Site: 4020 E. Olympic Plaza (Council District 3)
Description: Modification to approved permit (Case No. 9902-07) to allow the expansion of the outdoor patio area by approximately 1,400 square feet for La Palapa restaurant and an Administrative Use Permit to allow shared use parking of the Belmont Pier parking lot.

Approved the modification request to Case No. 9902-07 and Administrative Use Permit, subject to conditions of approval.

C O N T I N U E D I T E M S

2. Case No. 0411-09, Administrative Use Permit, CE 04-232

Applicant: Basic Fibres, Inc., c/o Mayra Romero
Subject Site: 2500-20 Santa Fe Avenue
Description: Administrative Use Permit to allow the operation of a recycling collection center for cans and bottles (staff attended).

This item was withdrawn by the applicant.

R E G U L A R A G E N D A

3. Case No. 9805-13, Modification to an Approved Permit (9805-13); EIR 24-98

Applicant: Parks, Recreation and Marine Bureau
 c/o Pamela Seager of Rancho Los Alamitos
 Foundation
Subject Site: 6400 Bixby Hill Road
Description: Modification to an approved permit (Case No.
 9805-13) to add a one-story approximately 1,000 square foot
 freestanding bookstore and classroom structure to Rancho
 Los Alamitos.

Lynette Ferenczy presented the staff report recommending that the modification be approved since it is a component of the project certified in 2000 and because the bookstore will be a critical component of the Rancho, offering educational opportunities, while maintaining the historic quality of the site and not generating additional demand for parking.

Pam Seager, Executive Director, Rancho Los Alamitos Foundation, 6400 Bixby Hill Road, noted that the bookstore would be an important service for existing visitors, and that no future expansion was planned beyond site restoration and possible seismic retrofitting.

Commissioner Greenberg moved to approve the modification request to Case No. 9805-13, subject to conditions of approval.
Commissioner Sramek seconded the motion, which passed
unanimously.

4. Certificate of Appropriateness

Applicant: Murchison Consulting for Mrs. Makineni
Appellants: John Romundstad & Elizabeth Kuehne
Subject Site: 2767 E. Ocean Boulevard
Description: Hearing to consider an appeal of the
 decision of the Cultural Heritage Commission to approve a
 Certificate of Appropriateness.

Cindy Thomack, Neighborhood Preservation Officer, presented the staff report recommending that the Commission sustain the decision of the Cultural Heritage Commission and approve the Certificate of Appropriateness since the CHC had found the proposed development consistent with the Secretary of Interior Standards and Bluff Park Historic District Ordinance.

Layne Johnson, Chair, Cultural Heritage Commission, discussed their review of the project.

In response to a query from Commissioner Greenberg, Mr. Johnson stated that the appellants had not presented a document with volume and massing studies of the proposed building.

Commissioner Sramek commented that the Cultural Heritage Commissioners seemed to be in support of the project because they liked the architecture, while the appellants were against it for reasons of scale and mass.

Doug Otto, 111 W. Ocean #1300, appellant attorney, contended that the standards used by the Cultural Heritage Commission in their decision did not apply to new infill construction, and therefore were not applicable in this situation. Mr. Otto added that he believed the new version of the plans included only one minor change from the version that had been denied by the Planning and Cultural Heritage Commissions earlier.

Cindy Thomack replied that the Cultural Heritage Commission had used the Secretary of the Interior Standards to review the project and that these were the appropriate criteria for review.

Luanne Pryor, 181 Marlborough Street, Boston, MA 02116, former Bluff Park resident and original Bluff Park Historic Preservation Ordinance Committee member, said she felt this project overwhelmed the area and the lot.

Brad Bolger, 100 Temple, presented a rendering supporting his contention that the project would greatly exceed the bulk and mass standards set in place by the Bluff Park Historic Preservation Ordinance. Mr. Bolger suggested that overall volume be used instead as an indicator of size.

Ruthann Lehrer, 2730 Washington Avenue, Santa Monica, 90403, claimed the applicant had ignored her suggestion to carefully address the bulk and mass standards and area compatibility before proceeding with the project. Ms. Lehrer added that she felt this would be a precedent-setting project that could seriously undermine the historical integrity of this and other districts, and she presented maps of potential development sites in the neighborhood that could be built using this project as a precedent.

Tim O'Shea, 3135 E. 1st Street, president, Bluff Park Neighborhood Association, reaffirmed his group's support of the historic overlay ordinance and their opposition to the project. In response to a query from Commissioner Greenberg regarding the IDM project, Mr. O'Shea said he felt that it was also too bulky for the area.

Elizabeth Kuehne, 2827 E. 1st Street, appellant, read a letter from architect Brenda Levin in opposition to the project, and said she felt the project would overwhelm in scale, composition and proportion, the historically significant homes adjacent to the rear of the site.

Mike Murchison, 3333 E. Spring Street, applicant consultant, presented drawings showing the proposed home as approved by the Cultural Heritage Commission, and said they had made 30 changes to the original plans in response to their input. Mr. Murchison added that a volume study done by the opponents did not include a home on the block that he declared was the same size as the proposed structure.

Gary Lamb, Interstices, 849 Pine Avenue, applicant architectural consultant, gave a brief overview of the changes, including placement of the house on the lot to minimize massing on the street plus the fact that the house is the same height, materials and colors as the adjacent historic house and that it had been designed to code with no variances requested. Mr. Lamb added that he thought the Floor Area Ratio should be used to compare the project to other homes, since it was the same or similar to existing area projects, and he presented slides of similarly sized homes in the area.

In response to a query from Commissioner Greenberg, Mr. Lamb replied that he felt the opponents' massing studies were not objective, because they showed the overall project volume, not the architectural features that reduced it, and he showed a volume study demonstrating how the same volume could result in different looking homes.

In response to a query from Commissioner Winn, Mr. Lamb observed that the historical preservation ordinance was not specific or consistent enough to prevent this type of conflict, and he felt there was a lot of area precedent to support setback-to-setback construction.

In response to a query from Commissioner Winn regarding which homes had been used for comparison in the area, Ms. Thomack

noted that the contributing structures were those that had maintained the most historical elements.

Commissioner Winn noted that few homes in the area had changed in the front due to the strong historical district regulations. Mr. Winn expressed concern about non-conforming homes becoming oversized, and he agreed that the code needed to be updated with more specific requirements to avoid the need for subjective decisions.

Jay Platt, 523 W. Sixth Street #826, Los Angeles, 90014, Los Angeles Conservancy representative, agreed with the previous speakers that the project would be precedent-setting and detrimental. Mr. Platt contended that the district would be open to legal challenges if regulations were not clarified, and said his group felt that the character of the neighborhood was being denied to those residents honoring the spirit of the rules.

Mary Grace Toia, 1101 E. 3rd Street, spoke against the project, saying she thought the applicant should have known in advance how an historical designation would constrain the design, and that if it was built, it would negatively affect home values in the area.

Melodie Grace, 2710 E. 1st Street, also spoke against the project, agreeing that buying into an historic district indicates that restrictions are in place to guard against incompatible designs.

Bob Phibbs, 3040 E. 1st Street, said he felt the Cultural Heritage Commission had failed in its mandate to protect the area from non-conforming homes.

Kim Van Natta, 2732 E. 1st Street, agreed, and said she enjoyed the advantages of an historic home and had always understood the building restrictions designed to preserve the area.

John Glasgow, 4235 E. Vermont Street, spoke in favor of the project, saying he felt mass did not equal volume or perceived volume, which he felt was a subjective perception, and that he thought the opponents' claims were inaccurate and misleading.

Dr. El Segelhorst, 2828 E. 1st Street, noted that many historic buildings in the area had been torn down before the district was put in place to preserve them and help mitigate imperfections.

Dr. Segelhorst urged support for the protection and preservation of the district's character.

Ken Yankolevich, 3025 E. 2nd Street, Bluff Park resident, expressed support for the application, saying he was not aware of any residents' meetings where the project had been discussed. Mr. Yankolevich added that if the architects had designed the house to code, it should be allowed.

Architect Lamb noted that this project was not taller than the adjacent historically significant Gill House, and that it had been designed to sensitively fit onto the street.

Appellant attorney Otto argued that the house did not adhere to clearly delineated district overlay regulations and would be precedent-setting. Mr. Otto said they were willing to help the applicant create a computer-animated model of the project.

Mr. Mais noted that the Commission had to consider three sets of standards in making this decision, including those from the Secretary of Interior, the Bluff Park historical ordinance, and Cultural Heritage Commission standards, and because of the controversy, he suggested the matter be continued to make very clear and appropriate findings to incorporate these three different areas of law.

Commissioner Winn said he was not in favor of a continuation since both sides had made clear presentations.

Commissioner Rouse said he wanted to understand how the three sets of ordinances applied to each other and to the project, which he felt would end up being a subjective decision in terms of scale and mass. Mr. Rouse thought it appropriate to continue the item to gather more definition from staff and the City Attorney on the parameters of the issue.

Commissioner Rouse then moved to continue the item to the May 19, 2005 meeting. Commissioner Greenberg seconded the motion.

In response to a query from Commissioner Greenberg regarding the burden of proof, Mr. Mais replied that the applicant has to prove that this particular project meets the three different sets of standards.

Commissioner Greenberg stated that his reason for referencing the IBM project was to see what the neighborhood thought of the

scale of that project, and if it now seemed to fit in to the area.

The question was called, and the motion passed unanimously.

5. Case No. 0502-18, Conditional Use Permit, CE 05-26

Applicant: James Berookhim
Subject Site: 6001 Atlantic Avenue (Council District 9)
Description: Request to establish off-site sales of beer and wine at a full-service neighborhood market.

Jeff Winklepleck presented the staff report recommending approval of the permit since the proposed use was accessory to a full-service market and was conditioned to have minimal impacts on adjacent land uses.

In response to a query from Commissioner Sramek, Planner Scott Mangum reported the locations of nearby liquor licenses.

Barry Curtis, 5342 Berkeley, applicant representative, stated his client owned a bonafide market not open during hours that typically see problems with alcohol, and that most of their customers walked to the location.

Commissioner Jenkins moved to approve the Conditional Use Permit, subject to conditions. Commissioner Winn seconded the motion, which passed unanimously.

6. Case No. 0412-21, Classification of Use

Applicant: Clair Milton
Subject Site: 5000 Lew Davis Street (Council District 5)
Description: Classification of Use for a proposed motorcycle safety training program to be located at Veterans Memorial Stadium (Long Beach City College) in the Institutional Zoning District.

Lemuel Hawkins presented the staff report recommending concurrence with the determination of the Zoning Officer that the requested use is not in compliance with the intent of the zoning, since it is directly across the street from residential properties which are currently impacted by events at the venue.

Commissioner Winn expressed concern that even high-tech industrial uses could be adversely affected, and he asked how adjacent properties would be able to object if such a use became

problematic. Mr. Carpenter suggested looking at each use on a case-by-case basis, requiring a CUP.

Commissioner Sramek contended that the requirement of a CUP would be better, and expressed concern that changes in the zoning ordinance would end up precluding the use of isolated parking lots in institutional zones. Mr. Sramek added that he felt the use would not be intrusive, just not appropriate near neighborhoods.

Clair Milton, 17216 Saticoy, #319, Van Nuys, applicant, said he was concerned that requiring a CUP with its attendant notification process would create unwarranted prejudice. Mr. Milton added that they needed large asphalt areas like school parking lots to conduct the safety classes, and that monetary and supply benefits could be given to cooperating schools. Mr. Milton declared that he needed a location in Long Beach; otherwise, residents would have to drive long distances for the state-mandated motorcycle safety training, many of which were wait-listed for as long as four months.

Ken Glaser, 2 Jenner Street, Irvine, 92618, expressed support for allowing the use, stating that he agreed the institutional zone was the best place for the program, and that it was not a loud operation generating noise complaints.

Herbert A. Levi, 5153 Hanbury, area resident, objected to the use, stating he felt that the City was built out and it would be difficult to find a location that did not impact residents or business owners, although he suggested the applicant consider accepting the staff recommendation to use industrial areas.

George Brown, 3810 Clark, said he felt the operation generated parking problems.

Bob Sullivan, 3902 Clark, said the operation had a negative impact on schools.

Commissioner Winn noted that since Veterans Stadium was no longer available as an option, the item should be continued to a date certain to explore alternative locations.

Commissioner Greenberg moved to continue the item to the May 5, 2005 meeting. Commissioner Winn seconded the motion, which passed 6-0. Commissioner Gentile had left the meeting.

M A T T E R S F R O M T H E A U D I E N C E

There were no matters from the audience.

**M A T T E R S F R O M T H E D E P A R T M E N T O F
P L A N N I N G A N D B U I L D I N G**

There were no matters from the Department of Planning and Building.

**M A T T E R S F R O M T H E P L A N N I N G
C O M M I S S I O N**

There were no matters from the Planning Commission.

A D J O U R N

The meeting adjourned at 5:11pm.

Respectfully submitted,

Marcia Gold
Minutes Clerk